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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,729	12/26/2000	Lawrence E. Williams III	23088 0276046	4226
27498	7590	10/31/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN LLP			ZURITA, JAMES H	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

3625

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/748,729

Applicant(s)

WILLIAMS, LAWRENCE E.

Examiner

James H. Zurita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 34-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/9/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Prosecution History*

On 26 December 2000, applicant filed the instant application, claiming priority to application 09/494813, filed on 31 January 2000, assigned to NetInterstate.com, now abandoned.

On 14 April 2003, the Examiner issued a first non-final rejection of claims 1-14 as unpatentable over *Wireless Internet* in view of **InfoGation**.

On 30 June 2003, applicant amended claims 1, 8 and 14, cancelled claims 3 and 10, and added claims 15-19.

On 26 September 2003, the Examiner issued a final rejection of claims 1, 2, 4-6, 8-9, 11-13, 15-19 as unpatentable over Mason, *Wireless Internet* in view of Kennedy. Claims 7 and 14 were rejected as unpatentable over *Wireless Internet* in view of Kennedy and further in view of **InfoGation**.

On 28 November 2003, applicant filed an after-final amendment.

On 16 December 2003, the Examiner issued an advisory action.

On 26 March 2004, applicant filed a request for Continuing Examination (RCE). Applicant cancelled claims 1, 2 4-9, 11-19. Applicant added claims 20-33.

On 7 June 2004, the Examiner issued a non-final rejection of claims 20-33 as unpatentable over Kennedy in view of Suman and further in view of **InfoGation**.

On 7 September 2004, applicant cancelled claims 1-33 and added claims 34-40.

On 30 November 2004, the Examiner issued a final rejection of claims 34-40 as unpatentable over Kenney in view of Suman and further in view of **InfoGation**.

On 11 February 2005, applicant filed a notice of appeal.

On 11 April 2005, applicant filed an appeal brief.

On 28 June 2005, the Examiner reopened prosecution and issued a non-final rejection. Claims 34-36, 38-39 were rejected as unpatentable over Kennedy. Claims 37 and 40 were rejected as unpatentable over Kennedy in view of **InfoGation**.

On 9 August 2005, applicant amended claims 34, 38 and 40, and added claims 41-47.

The present Office Action is in response to applicant's latest amendment.

### ***Priority***

The Examiner acknowledges applicant's claim to priority as a continuation in part of application 09/494813, filed 31 January 2000.

The Examiner notes Fig. 6 and claims directed to emergencies, first appear in the instant application, and are entitled to a priority date of 26 December 2000. Application 09/494813 does not disclose use of emergency contact information, emergency medical information or any other type of emergency, as now claimed.

### ***Response to Amendment***

Applicant's amendment of 9 August 2005 amended claims 34, 38 and 40, and added claims 41-47.

Claims 34-47 are pending and will be examined.

### ***Response to Arguments***

Applicant's arguments filed 9 August 2005 have been fully considered but they are not persuasive.

Applicant appears to misinterpret the previous office action:

In particular, claim 34 has been amended to clarify the use of the emergency contact information in the event of an emergency associated with a customer vehicle. Specifically, the claim now requires an additional step of using the emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to antnrise that contact person about the emergency.

This subject matter is not disclosed or suggested in the cited prior art. Indeed, the Office Action concedes that Kennedy does not even disclose that emergency contact information is retrieved by a telematics device during an emergency. Rather, the Office Action takes the position that this undisclosed step would be obvious.

Since applicant's additional step of *using...* was introduced *after* the last office action, the new limitation was not addressed in the last office action.

In fact, the Office Action reads, pages 3-4:

...Kennedy does not specifically disclose that the information being retrieved is emergency contact information. Kennedy does not specifically disclose what specific information is provided during an emergency associated with the customer vehicle. Kennedy discloses using a telematics device during emergencies such as car crashes, as in Col. 11, lines 3-21.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transfer any type of data and information, including emergency contact information during an emergency associated with a customer vehicle. One of ordinary skill in the art at the time the invention was made would have been motivated to transfer any type of data and information, including emergency contact information during an emergency associated with a customer vehicle for the obvious reason that during an emergency, it is important to be able to reach appropriate parties, such as roadside assistance to get help.

Applicant's allegations concerning Kennedy are erroneous: Applicant argues, without specific citation to Kennedy:

For example, Kennedy requires an infrastructure wherein, in response to an "emergency situation" an emergency service message 58 *must be somehow* routed to a central NSC 14. The NSC 14 then determines an appropriate service center 16 to handle the emergency. The NSC 14 then verbally and through data communication channels relays information to that appropriate service center 16, which presumably must include time-

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consuming manual steps and intervention. The appropriate service center 16 may then provide emergency assistance, presumably including manually contacting rescue, fire or other services.

The Examiner notes that Kennedy does not refer to "...manually contacting rescue, fire or other services..." for example. There is also no mention of "...verbally and through data communication channels relay[-ing] information to that appropriate service center..." There is also no basis for applicant's presumption that an "...appropriate service center...presumably must include time-consuming manual steps and intervention..." The Examiner respectfully requests specific citations in Kennedy to support applicant's interpretation of Kennedy.

Applicant's unsupported arguments concerning Kennedy fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Applicant's comments concerning advantages of his new limitation not found in prior art include:

... means or step of permitting a designated emergency contact person to be apprised of the emergency in a time-effective and reliable manner. This can have dramatic, life-threatening and emotionally devastating consequences.

...in a time-effective and reliable manner...

The present invention solves these problems, among others. For example, the telematics device itself retrieves the emergency contact information so that it is local to the vehicle, the emergency, and the involved customer. That information is then relayed directly to the Public Safety Answering Point, enabling local authorities to quickly identify the appropriate person to contact, who has been designated by the customer to be apprised of an emergency situation.

The Examiner notes that that self-laudatory comments carry little or no patentable weight and that the claimed features are absent from applicant's disclosure.

See rejection under 35 USC 112, first paragraph.

Applicant argues:

For example, the prior art techniques exemplified by Kennedy make contacting designated persons, such as relatives, during an emergency difficult and time-consuming, even if rescue personnel are quickly notified.

The process can take several hours, or may be impossible if the designated person has an unlisted phone number.

The Examiner acknowledges applicant's admissions that prior art discloses contacting designated persons, such as relatives, during an emergency. The Examiner also acknowledges that applicant appears to believe that such contacting is difficult and time-consuming, even where rescue personnel are quickly notified, (another admitted feature of prior art):

#### **emergency contact information**

Applicant appears to seek patentability on the type of data that is being retrieved and transmitted to a PSAP. The content of this data has proved to be illusive.

At times, Applicant claims data that comprises (a) medical information of a medical log; (b) "medical" contact information that expressly excludes "medical" information; (c) telephone numbers, addresses, Email addresses. For example:

- First, amended claim 1 now requires (1) "transmitting a medical log of the customer from the virtual garage to the telematics device of the vehicle," (2) "storing the medical log in an on-board database associated with the telematics device of the vehicle," and (3) "retrieving the medical log of the customer from the on-board database during a medical roadside emergency." ***The claimed invention is directed towards a method and system for providing emergency personnel immediate access to the most up-to-date medical information of the customer during a medical roadside emergency.*** Applicant submits that neither Wireless Internet nor ***InfoGation*** discloses these limitations, alone or in

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combination. For example, there are no teachings in Wireless Internet or *InfoGation* that a medical log is transmitted to the telematics device of the vehicle, stored therein, and then retrieved therefrom during a medical roadside emergency. Remarks, Amendment of 30 June 2003, emphasis added.

- These cited references disclose a person making a 911 call but does not disclose at all the telematics device embedded in the vehicle retrieving emergency contact information from the virtual garage and thereafter transmitting the same emergency contact information to the Public Service Answering Point. Applicant's ***new claims are directed to transmitting and receiving emergency contact information and expressly excludes medical information.*** Remarks, amendment of 4 March 2004, emphasis added.
- Appeal Brief of 11 April 2005  
As discussed in VII.(A)(1) above, the term "emergency contact information" has a definite, easily discernible meaning. However the Office Action contends that various types of emergency contact information may overlap and, the Office Action appears to conclude that emergency contact information necessarily includes medical information. However, this position of the Office Action is only possible if the usage of the word medical in the application and claims is misconstrued.

In the Specification and Claims, the word medical is used exclusively as a qualifier (e.g. "medical log") to explicitly distinguish between medical emergency contact information and other types of emergency contact information. Specifically, an example is provided in the specification wherein a medical log is described that includes *inter alia* medical emergency contact and history (page 19, line 16 to page 20, line 4). An insurance log including *inter alia* insurance emergency contact and history and an automobile log including *inter alia* vehicle emergency contact and history are also described (page 19, line 16 to page 20, line 4).

Therefore, the specification clearly separates and qualifies contact information associated with vehicle logs, insurance logs and medical logs.

This usage of "medical" as a qualifier does not permit an inference that medical information is included in emergency contact information. The terms "medical emergency contact information" and "medical contact information" are easily distinguished from the term "medical information." Medical information is information related to, or concerned with physicians or the practice of medicine (Merriam-Webster Online Dictionary at <http://www.m-w.com/cgi-bin/dictionary?book=Dictionary&va=medical>, viewed 4/5/2005). However, "medical contact information" is commonly understood to mean contact information for establishing communications with physicians or practitioners of medicine.

In plain terms, ***medical contact information comprises telephone numbers, addresses, Email addresses and so on***, while medical information includes medical histories, descriptions of symptoms, medical procedures, etc. Thus, in the context of the ***present claims, emergency medical contact information is contact information for establishing communications with physicians or practitioners of medicine during an emergency. Simply put, usage of emergency medical contact information does not involve the practice of medicine, but may involve the use of a telephone.*** Emphasis added



The Examiner notes that the above interpretation is not supported by paragraphs 63 and 64 of the PG-PUB 20010014863 and the original disclosures. Again the Examiner notes that the limitations are not in the claims.

However, consistent with applicant's latest amendment and most recent definition claimed, the Examiner acknowledges that applicant restricts his invention to retrieving and transmitting a specific type of data, as above.

### ***Claim Objections***

Claims 46-47 still refer to Public ***Service*** Answering Point. Other claims were amended to Public ***Safety*** Answering Point. For purposes of this examination, the terms will be interpreted as synonyms for PSAP.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 34 and claims dependent thereupon are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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Applicant's latest amendment included limitations that are not described in the specifications. For example:

[claim 38] ...using the emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to apprise that contact person about the emergency.

41. (New) The method of claim 34, further comprising:

**enabling** the customer to update the emergency contact information stored by the virtual garage before the emergency.

42. (New) The method of claim 41, wherein the enabling step includes **providing** the customer access to the virtual garage via the Internet, such that human intervention by someone other than the customer is not needed to update the emergency contact information.

43: (New) The method of claim 34, further comprising:

... wherein the emergency contact information is a portion of customer profile data associated with the customer and maintained by the telematics service provider.

47. (New) The method of claim 43, further comprising:

...**providing** information corresponding the emergency to the telematics service provider.

The disclosures provide no description as to what happens to data after it has been transmitted to a PSAP. There is also no description of who can update emergency contact information.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 41-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 41 and 42 refer to “...**enabling**...” The term is indefinite because it does not explain how this state is derived, or what steps are needed to consider that a customer has been enabled.

Claim 42 reads “...such that human intervention by someone other than the customer is not needed to update the emergency contact information...”

**Claim Rejections - 35 USC § 103**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

The following is a list of rejections of pending claims 34-47:

claims	Unpatentable over Kennedy in view of
34-36, 38-39, 43, 45-47	Clifford
37	InfoGation
40	Suman
41-42, 44	Ford

**Claims 34-36, 38-39, 43 and 45** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy III et al. (US Patent 6,535,743)/*Kennedy* in view of **Clifford** enters telematics with net-based car PC, *Anonymous*. **TWICE**. New York: Jan 24, 2000. Vol.15, Iss. 3; pg. 40, 1 pgs, downloaded from ProQuest on the Internet on 10 October 2005.

**As per claim 34**, Kennedy discloses methods of providing information of a customer using a telematics device embedded in a customer vehicle, comprising:

- (a) **accessing** a telematics device embedded in the customer vehicle during an emergency associated with the customer vehicle. See, for example, Kennedy, at least Col. 9, lines 12-48.
- (b) **establishing a communication link** between the telematics device and a virtual garage, wherein the virtual garage comprises at least one server on the Internet and wherein the virtual garage stores information of the customer. See, for example, Kennedy, at least Col. 9, lines 12-48.

(c) **retrieving information** of a customer from the virtual garage using the telematics device; See, for example, at least Col. 9, lines 12-48. See also at least Col. 15, lines 7-11, requesting information of a customer from a virtual garage using a telematics device. See, for example, at least Col. 5, lines 7-18, Col. 11, line 21-Col. 12, line 26.

(d) **transmitting information** of a customer to a Public Safety Answering Point, wherein the information is transmitted from the telematics device embedded in the customer vehicle to the Public Safety Answering point. See, for example, Kennedy, Col. 13, lines 1-19. Kennedy discusses the use of 911 numbers. As noted previously, 911 is an emergency reporting system whereby a caller can dial a common number for all emergency services. The caller will be answered at a common answering location (public service answering point - PSAP)<sup>1</sup> which figures the nature of the emergency and dispatches the proper response teams.

As per claim 34, Kennedy **does not** specifically disclose that the information being retrieved is emergency contact information (according to applicant's latest definition).

Kennedy **does not** specifically disclose what type(s) of information is provided during an emergency associated with the customer vehicle. Kennedy discloses using a telematics device during emergencies such as car crashes, as in Col. 11, lines 3-21.

Kennedy **does not** specifically disclose

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<sup>1</sup> PSAP is a generic term for the person or group of people who answer 911 emergency phone calls. Newton's Telecommunications Dictionary.

(e) using emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to apprise that contact person about the emergency.

Clifford discloses using the information that is retrieved and transmitted from a call center user profile is used to contact a doctor. For example, page 2, paragraph 9.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kennedy and Clifford to disclose using emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to apprise that contact person about the emergency.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine Kennedy and Clifford to disclose using emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to apprise that contact person about the emergency for the obvious reason that a customer may wish to have his doctor be alerted that an emergency has taken place that may require the doctor's services.

***As per claim 35***, Kennedy discloses that the communication link may comprise the Internet. See, for example, Col. 7, line 47-Col. 8, line 3.

***As per claim 36*** Kennedy discloses that communication link may be though wireless connections. See, for example, at least Col. 7, line 66-Col. 8, line 3. See also at least Col. 8, line 55-Col. 9, line 5.

***As per claim 38***, Kennedy discloses requesting an emergency 911 service to a Public Safety Answering Point using the telematics device. Col.5, line 47-59.

**As per claim 39**, Kennedy discloses that an emergency associated with the customer vehicle may comprise a vehicle collision. See references to car crash, at least Col. 11, lines 4-21.

**As per claim 43**, Kennedy discloses **centralizing** data in the virtual garage from one or more telematics service providers, wherein the emergency contact information is a portion of customer profile data associated with the customer and maintained by the telematics service provider. See, for example, at least Col. 9, lines 6-35.

**As per claim 45**, Kennedy does not specifically disclose that a telematics service provider may comprise an insurer. This feature is disclosed by Clifford. See, for example, Clifford, page 2, paragraph 2. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kennedy and Clifford to disclose that a telematics service provider may comprise an insurer.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine Kennedy and Clifford to disclose that a telematics service provider may comprise an insurer for the obvious reason that an insurer such as AAA may also be in a position to readily provide roadside assistance.

**As per claim 46**, Kennedy discloses

(a) **transmitting** data corresponding to the emergency to the Public Safety

Answering Point. Please see rejection of claim 34.d.

(b) **providing** emergency assistance to the customer in response to the transmitted data. Kennedy discloses using a telematics device during emergencies such as car

crashes, as in Col. 11, lines 3-21. See also references to assistance, at least Col. 27, lines 18-33.

**As per claim 47**, Kennedy discloses

(a) **transmitting** data corresponding to the emergency to the Public Safety

Answering Point. Please see rejection of claim 34.d.

(b) **providing** information corresponding to the emergency to the telematics service provider. See at least Kennedy, Col. 9, line 12-Col. 10, line 11.

**Claim 37** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy III et al. (US Patent 6,535,743)/*Kennedy in view of InfoGation*.

**As per claim 37**, Kennedy **does not** specifically disclose that emergency contact information is retrieved from a virtual garage to a telematics device using an FM subcarrier network. As noted previously, without applicant traverse, information may be transmitted from TSP's to telematics devices via FM subcarrier networks. For example, **InfoGation** discloses that CUE's FM subcarrier network reaches over 80% of the North American population and interstate highway system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kennedy with **InfoGation** and disclose transmitting information from a portal to a customer device over an FM subcarrier network. One of ordinary skill in the art at the time the invention was made would have been *motivated* to combine Kennedy with **InfoGation** and disclose transmitting information from a portal to a customer device

over an FM subcarrier network for the obvious reason that FM subcarrier networks provide a simple, efficient and proven way to reach a large number of customer devices.

**Claim 40** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy III et al. (US Patent 6,535,743)/*Kennedy* in view of *Suman* (US 6,028,537).

**As per claim 40**, Kennedy does not specifically disclose that a Public Safety Answering Point may comprise one of an emergency medical service vehicle, a police service and a fire service.

Suman discloses transmitting medical information, stored in an on-board database, from a vehicle's telematics device to an emergency vehicle. See, for example, at least Col. 13, lines 15-54. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kennedy and Suman to disclose transmitting medical information from an onboard database to a PSAP/emergency medical service vehicle. One of ordinary skill in the art at the time the invention was made would have been motivated to combine Kennedy and Suman to disclose transmitting medical information from an onboard database to a PSAP/emergency medical service vehicle for the obvious reason that it is important that emergency medical personnel have the latest medical information of a patient during a roadside emergency. A patient's virtual garage may exclude recent updates to a person's medical records, such a recently diagnosed diabetic condition. Medical personnel may alter their treatment according to such updates.



**Claims 41-42, 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy III et al. (US Patent 6,535,743)/**Kennedy** in view of **Ford** to Bring Internet to Millions of Vehicles, PR Newswire. New York: Jan 9, 2000. pg. 1, downloaded from the ProQuest on the Internet on 10 October 2005.

**As per claim 41**, Kennedy does not specifically disclose **enabling** the customer to update the emergency contact information stored by the virtual garage before the emergency. This feature is disclosed by It would have been obvious to one of or

**As per claim 42**, Kennedy discloses **providing** the customer access to the virtual garage via the Internet, as in Col. 22, lines 25-54. Human intervention by someone other than the customer is not needed to update the emergency contact information, since a customer may update his information.

**As per claim 44**, Kennedy does not specifically disclose that a telematics service provider may comprise an automobile company. This feature is disclosed by **Ford**, an automobile company.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kennedy and Ford to disclose that a telematics service provider may comprise an automobile company.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine Kennedy and Ford to disclose that a telematics service provider may comprise an automobile company for the obvious reason that an automobile company may wish to deliver telematics and services quickly and affordably to large groups of customers, regardless of their vehicle choice.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Jt*  
**James Zurita**  
**Patent Examiner**  
**Art Unit 3625**  
21 October 2005

  
**WYNN W. COGGINS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3800**